Claims:

1.   (currently amended) A method of compensating at least one rights holder responsible for content of a digital audio recording file for the public performance of the content, the content being included in a public broadcast, the method comprising the steps of:

associating an identification with the digital audio recording file to produce an identified digital audio recording file;

generating an identification record correlating ~~to~~ the identification and the digital audio recording file;

broadcasting the identified digital audio recording file as an audio signal in the public broadcast, the public broadcast being made by one of a radio, television, cable, satellite network and internet website, the public broadcast <u>capable of</u> being remotely receivable simultaneously by a plurality of audience members of the public <u>capable of</u> receiving the audio signal being publicly broadcast;

receiving by a monitoring station the audio signal being publicly broadcast;

feeding by said monitoring station the audio signal into monitoring means for detecting the identification;

storing and correlating by said monitoring station the identification and data <u>solely</u> related to the public broadcast and unrelated to <u>whether even any user</u> ~~the number of users~~ constituting the audience members of the public <u>have received the broadcast</u>, based on the identification record as a batch file;

importing the batch file into a first database that catalogs public performance, based upon the incidence of the public broadcast and unrelated to the number of actual audience users of the audio signal, and

using the first database to compensate the at least one rights holder.

2.   (previously presented) The method of claim 1, wherein the identification is embedded in the audio signal as a digital watermark.

3.   (previously presented)   The method of claim 1, wherein the step of associating an identification is performed by encoding software.

4.   (previously presented) The method of claim 1, wherein the identification is in the form of a non-audible digital signal that is not rendered inoperable by one or more generations of analog taping and broadcast compressions.

5.   (previously presented) The method of claim 1, further comprising the steps of searching a second digital work library database to match the associated identification with the title of a digital audio work and its associated file information, and importing the title and associated file information from the second digital work library database into the first database.

6.   (previously presented) The method of claim 5, further comprising the step of using the associated identification to match the digital audio work's title to the recorded and stored transmission or broadcast related data and printing a digital audio work usage report having both the title of the digital audio work and the transmission and broadcast related data.

7.   (previously presented) The method of claim 1, wherein the digital audio recording file further comprises video or multimedia.

8.   (previously presented) The method of claim 1, wherein the first database is represented in the form of cue sheets.

9.   (currently amended) A method of compensating at least one rights holder responsible for content of a digital audio recording based solely on performance fees generated by the public broadcast of the content, the method comprising the steps of:

receiving the publicly broadcast audio recording in a public broadcast as an audio signal, the broadcast being made by one of a radio, television, cable, and satellite network and internet website, the broadcast capable of being remotely receivable simultaneously by a plurality of audience members said receiving being done also by a monitoring station receiving the publicly broadcast signal;

feeding by said monitoring station the audio signal into a monitoring means to make an identification of the audio recording;

storing and associating by said monitoring station the identification and data related to the public broadcast based on an identification record as a batch file;

importing by said monitoring station the batch file into a first database that catalogs the broadcast and the data related to the broadcast of the audio signal; and

using by said monitoring station the first database to prepare cue sheets containing the data related solely to the performance when it is broadcast and unrelated to whether there is even

any actual ~~the extent of~~ use ~~of~~ <u>by</u> the receiving audience, to compensate the at least one rights holder.